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## NOTES AND ABSTRACTS.

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**Official Social Politics in Germany during the Last Winter.**— When I wrote some months since of the proposed “Jail Bill” (*Zuchthausvorlag*) in an article published in the January number of this JOURNAL, the fate of this law was still uncertain. More speedily than could be anticipated, a decision was reached on November 20; without consideration by a commission, the law was rejected upon the second reading by an overwhelming majority in the Reichstag. Up to the last moment it was unknown what position the Central party, which holds the balance of power, would take. As is known, the Central party had announced its own schemes for the right of coalition of workingmen and had shown its readiness to provide increased protection for those who offer labor. These proposals of its own were dropped at the last hour, and the party went over completely to the side of the radical antagonists of the bill. So it came about that only the Conservatives and a majority of the National Liberals voted for a consideration by a commission; and this object was no longer attainable.

The fortunes of this “Jail Bill” unquestionably meant a victory of the workingmen and of the liberal parties. Through the unanimous opposition of all sections of the working class all the parties outside of the Social Democrats were driven to reject the bill. The decided antagonism of the Central party is to be explained only by the fact that the Catholic workingmen, who have during the past years combined in the Christian Labor Unions, have exerted a powerful pressure upon their representatives. By the side of this effort of the working class, that of the professors has not been unavailing in relation to public opinion. It is claimed that this very opposition has not been without influence on the emperor. At the same time, this rejection of the “Jail Bill” has not had any further positive consequence. One might have expected that the general conviction which had been called forth by the contest on the “Jail Bill” would crystallize into a legal protection of the right of coalition. Unfortunately that has not yet come to pass.

For one thing, the blame for this lies with the attitude of the Social Democrats, who, through excess of confidence in victory, have repulsed all those who would naturally work with them. They went particularly wrong, after the affair of the “Jail Bill,” by following the error of the government in its rejected bill; for they proposed to place the capitalist manager in an exceptional legal position, by permitting the workingmen to post strike pickets, but not to permit the manager to send out the blacklists to boycott objectionable workingmen. By this excess the possibly practicable success which a moderate counter-proposition might have secured was naturally brought to defeat; since it was evident in advance, even to those who offered it, that this proposal, with all the advantages it offered, would be rejected.<sup>1</sup>

On the other hand, public attention was soon diverted from these questions of the right of coalition. Even before the decision in the affair of the “Jail Bill,” in a speech at Hamburg the emperor had revealed his purpose to ask for an increase of the navy, although this had been strengthened considerably two years before. This new navy project, and, in connection with it, the problems of foreign policies (the Transvaal war), absorbed the public interest of the nation from November to April. It was not certain that the new scheme for the navy would be favorably received in the Reichstag. In case of its rejection a dissolution of the Reichstag and a new election were to be expected. On this account the entire political agitation of the last winter was concentrated on this question, and the further development of the right of coalition had to retire to the background.

<sup>1</sup> I presume that it is this proposal of the Social Democrats which is meant by the editorial note on p. 454, and that the informant who furnished data for the editor's note was of the erroneous belief that it was a bill brought forward by the government itself. I cannot explain the note otherwise.—M.

Therefore these contests in relation to the increase of the navy were indirectly of great advantage to the working class. Our workmen are almost universally members of the Social Democratic party, and this party is a decided antagonist of "militarism" and, for that reason, of the enlargement of the navy, because they have no interest in the defense of a country in which the workman has not equal rights with others. It is probable, however, that the working people would learn to think in another fashion of the navy and foreign policy as soon as they had attained legal and social equality of rights in the state. It is apparent from the debates over the navy proposition that the government will see itself increasingly compelled to solicit the aid of the working people for its navy projects, because its former supporters begin to prove unfaithful to it. The Agrarians (peasants and large landholders), who have hitherto approved every military demand without examination, begin to assume a distrustful attitude toward the navy. For the strengthening of the navy implies security for industry and commerce, while increasing industrial development means the wider entanglement of Germany in the economic affairs of the world, and larger importation of foreign grain and meat into Germany. Therefore the opposition of the Agrarians to the navy and to commercial treaties is a phenomenon which appears naturally, as might be foreseen. If at last most of them did vote for the navy bill, it was only in order not to lose the influence with the emperor which they still enjoy. The time is sure to come when they will no longer take this view, and when, not only in words, as they have already done, but by action, they will be in opposition to increase of the navy. At that moment the emperor cannot do otherwise than conduct his foreign policy by the aid of the workmen, because he must have one group of the people who will furnish him a majority. Then, before all, the right of coalition and complete equality must be guaranteed to the workmen. The Agrarian opposition to the navy which this winter began to appear was indirectly the security for an imperial policy favorable to the workmen.

The spirit which led to the "Jail Bill" has in the meantime made itself manifest in the individual states. In several of the small states bills have been proposed to punish the violation of a contract by agricultural laborers with imprisonment as a crime. In other cases, the violation of a contract is indeed indictable in civil law, but cannot be prosecuted criminally; so that here we have an exceptional law which places the agricultural laborers in a position inferior to that of other people. And in other states they have commenced to prohibit picketing by police ordinances, a prohibition which was, indeed, contained in the "Jail Bill," but was not in harmony with the imperial law. In the same direction we notice the partisan interference of several governments on the side of business managers in great strikes; especially observable in the attitude of the Saxon government in the miners' strike and of the Prussian government to the striking employes of the great Berlin street-car company.

In spite of this unfriendly attitude to the workmen our bureaucracy works quietly and slowly along the way fixed for it in the first period of the social policy of William II. The unwieldiness which is often rightly charged to the account of our official administrators has at least this good element that good influences and impulses are propelled and make themselves felt for a long time. For example, during the last year much progress has been made in necessary and urgently needed reforms in our state insurance of workmen. After the insurance of invalids had been reformed in the summer, the accident insurance was subjected to critical examination in the winter. In this case the governments have met the views of the associations of capitalists more nearly than was the original purpose; but, in spite of this, the new law was so superior to the old that on the final vote in the Reichstag it was passed unanimously. Other laws protecting workmen were either introduced or passed, as new regulations for seamen, employes in hotels and mercantile establishments. All these laws might have come earlier, for they have been demanded by those interested for many years. And they contain less than the workmen desire, or they have been crippled in the manipulations of the Reichstag. At the same time, they imply advance as compared with what has been law hitherto, and they prove thereby that, even if slowly and awkwardly, the bureaucratic social reform really goes forward.

As we judge of this advance in protection of workmen, so we may form an opinion of the moderate advance in relation to the right of coalition. Three years

ago, when the new civil law code, which has been in force since January 1, 1900, was before the Reichstag for consideration, the imperial chancellor gave the promise that the legal prohibition in various states which forbade political associations to federate—a prohibition which had its origin in the time of the foundation of the empire, and had long been obsolete—should at that date be suspended. It was three and a half years before the chancellor could fulfill his promise. Only at the last hour, three weeks before the civil code went into effect, the promise was kept and the prohibition of federation was abandoned. Now, therefore, the political associations within the entire empire can enter into union with each other. For the trade unions, which desire to be merely non-political societies, this has no immediate significance. Indirectly, however, they have been freed from a great menace. Because of the flexible interpretations of the word “political” it was in the power of any court, if it were so disposed, to regard the workingmen’s association as a political society, to inquire whether it at any time had been connected with another society, even by so trifling a bond as a single letter written from one to the other, and thereupon to dissolve it. This danger, which perpetually confronted the labor unions, is now removed; but no positive gain has been made by the new law.—MAX MAURENBRECHER, PH.D., Berlin.

**The Spirit of Tuskegee.**—Foremost among the qualities that need to be learned by American youth are self-respect and self-help. The power of the United States to make of itself what it is was developed from these very qualities. Successful pioneering of every sort must be conducted by those essentially equal. Rank and rabble, lord and laborer, could not have transformed the wilderness west of the colonies which had newly become states.

Agriculture in its best form, manufactures, and mining have been developed by ambitious, self-respecting citizens. In older communities there comes gradually a separation of classes, and those of wealth have opportunities lacking to those of less means. Unless, then, we lazily accept the tendency toward the situation in Europe, where it is well-nigh impossible to climb from a lower class to a higher, there must be means provided for those of little or no property to acquire habits of thrift and chances to develop self-respect where self-respect is at a premium. The public schools are intended to do this. Whether they do or not is aside from the present purpose, but certain it is that in localities where public schools are few, or, for local or other reasons, inferior or incapable of accomplishing all that is necessary, an instrumentality like the Tuskegee Normal and Industrial Institute seems to be the ideal.

In March of the present year I was fortunate enough to be able to pay a visit of two days’ duration to this remarkable institution. With preconceptions in its favor I found far more in spirit and reality than I had anticipated. I do not wish to repeat the facts and statistics of the growth of the school; these are easily obtained; nor is it necessary to speak of the ability of Mr. Booker Washington, for he is already a national character, whom everyone has heard or ought to hear. Few speakers on the lecture platform can command or hold larger audiences. Indeed, so great has been the demand upon him by bureaus and lecture associations that his whole time would be taken if he would consent.

All this is a result, not a cause, of usefulness, power, and discernment in dealing with the negro problem in the South. It is unnecessary to speak of Tuskegee in its material equipment and marvelous growth. This topic has already been abundantly treated in comparatively recent periodical literature. But there is an inner life, a spirit or soul, in the institution which was apparent to me, and which seems to be as superior in significance to the number of buildings and pupils as mental and spiritual development is to length of leg and avoirdupois.

One begins to feel the influence and breathe the air of Tuskegee when he leaves the train at Chehaw, six miles from the school. By “Tuskegee” the world no longer means the pretty little Alabama village of that name, though it still exists, greatly modified by the proximity of its colossally grown appendage which has absorbed the name and made it great.

Tuskegee is the one institution of note where all—every teacher, pupil, and employé—are of the colored race, and therefore is the one place which can show better than any other what is possible for the race. Other institutions are large, prosperous, and useful, but white men and women are concerned in their management, and

therefore there must be an element of uncertainty as to the exact proportion of white influence.

That Tuskegee is the pride of all those colored people who have come into any contact with it is evident. The middle-aged negro with whom I rode over from Cheshaw related with pride the story of the growth of the little school started by Mr. Washington seventeen years ago. He had seen its whole material growth from the little wooden shanty to the forty-five buildings of the present plant; but the fact that he himself had helped to make the brick for some of the buildings was related with a minuteness of detail which indicated a pride and importance as great as could be discovered in one who had negotiated a treaty between powerful nations. He lived next door to one of the professors; he was acquainted with every member of the faculty; etc., etc., etc. This may serve to indicate the pride in the institution, taken not only by the colored people of the neighborhood, but by the white people of the vicinity.

It was after dark when I was driven to the gate of Mr. Emmett J. Scott, Principal Washington's secretary. I was received by him, and later by other officers of the institution, with an ease of manner and a cordial hospitality which I have never seen surpassed by people in any position. There was nothing to suggest an exaggeration or copying of others' manners, but a grace and quiet ease absolutely inseparable from true culture and good breeding. This was true of every individual officer and teacher that I met. The effect of this example on the students is everywhere apparent. No teacher or officer is ever "off duty," in the sense that he adopts manners or indulges in recreations which it might be better for the students not to see.

Mr. Washington in his public addresses and his published articles has again and again called attention to the necessity for industrial education for negroes. His argument is sound, and to carry into practice his theory he has adopted methods about which I am not aware that he has ever written or spoken, but which seem to me to be the real foundation of the remarkable success of the institution. Two short quotations from an article by Mr. Washington in the New York *Independent* will, with a few comments, serve to illustrate my meaning: "For nearly twenty years after the war, except in one or two cases, the value of the industrial training given by the negroes' former masters on the plantations and elsewhere was overlooked. Negro men and women were educated in literature, mathematics, and the sciences, with no thought of what had taken place on these plantations for two and a half centuries. After twenty years those who were trained as mechanics, etc., during slavery began to disappear by death, and gradually we awoke to the fact that we had no one to take their places. We had trained scores of young men in Greek, but few in carpentry or mechanical or architectural drawing; we had trained many in Latin, but almost none as engineers, bridge-builders, and machinists."

The making, then, of these carpenters, machinists, printers, farmers, etc., is the announced program of the Tuskegee school, but in the following quotation there is a hint of the method used in arriving at this worthy result, and in this method I see what I call the "Spirit of Tuskegee," the real foundation of the school's success:

"Only a few days ago I saw a colored minister preparing his Sunday sermon, just as the New England minister prepares his sermon. But this colored minister was in a broken-down, leaky, rented log-cabin, with weeds in the yard, surrounded by evidences of poverty, filth, and want of thrift. This minister had spent some time in school studying theology. How much better would it have been had this minister taught the dignity of labor, theoretical and practical farming, in connection with his theology, so that he could have added to his meager salary and set an example to his people in the matter of living in a decent house and correct farming—in a word, this minister should have been taught that his condition and that of his people was not that of a New England community, and he should have been so trained as to meet the actual needs and conditions of the colored people in the community."

The public sees and reads about Mr. Washington, talks about and points at the 2,300 acres and forty-five buildings, the shops, forges, dairies, mills, and trades which make the school a wonder, but the way it has become so is by dealing first with the "broken-down, leaky, rented log-cabin," "the weeds in the yard," the evidences of "poverty and filth and want of thrift."

These once dealt with and eradicated, the acres, buildings, and trades cease to be a wonder and become a natural result. If the right view of these matters be held

by individuals, the attitude of the community follows as a natural consequence, and it is plain that in implanting a right habit and attitude of mind in each colored boy Mr. Washington always sees, beyond the black face, the family and community upon which that face will shine, and which will be directly and indirectly influenced by the habit and attitude. I think he has definitely in mind every instant the purpose to make each Tuskegee student the apostle of civilization to his people, and the personal traits and accomplishments of each apostle are means, not ends.

How does he deal with them when they arrive, often, if not always, from the "broken-down, leaky log-cabin," having the most intimate acquaintance with "poverty and filth," and absolutely no acquaintance with cleanliness and thrift?

Of course, a thousand means are found; a few will suggest the general method. Every pupil who applies for admission to the institution is compelled to provide himself with a night-shirt and a tooth-brush. A few people may at first think that this is neither startling nor strange, but it would require no extended investigation in any agricultural or urban community, white or black, to learn that the numbers of those articles in daily use are by no means equal to the population, and that perhaps no other garments or toilet articles equally represent the steps above "mere existence" toward "living." At any rate, the rigid enforcement of this rule has made the task of further instruction in personal cleanliness and thrift much easier.

The chapel assembly on Sunday mornings is conducted on the usual religious lines—sabbath school and sermon by the chaplain. But unless some visitor from a distance gives the Sunday evening address, or other interference occurs, Mr. Washington takes the opportunity of the evening assembly to give practical talks on what may properly be called "personal civilization" rather than etiquette. The reasons why the night-shirt and tooth-brush mean so much more than personal cleanliness; the reflex effect of the possession of articles of comfort and luxury; the moral and practical effects of neatness, cleanliness, and thrift; and other questions of similar order, are discussed. By taking up with individuals such subjects, Mr. Washington has an opportunity of actually accomplishing for the thousands of colored families represented in the school what is touched upon in a detached manner in various parts of the world by college settlements and benevolent associations. Rigid inspection of students' rooms and persons assures the adoption of the advice given on Sunday evenings.

Every Sunday morning, before church, all the male students are drawn up in line for inspection, under command of the officer in charge of military drill. The writer was asked, in company with two gentlemen from Boston who were also visiting, to follow the chief officer in the inspection. This inspection was conducted in a combined military and friendly spirit. The commandant, passing slowly along the lines, looked at each individual minutely from cap to shoes. No grease spot or mud spot, loose button, cut or tear, or soiled linen, escaped his eye. No one may appear in anything but his best at this time. "Have you a better coat than that?" "Yes, sir." "Go and put it on." "Where is the button that belongs there?" "Have you no soap and water?" "How came that spot?" "How did you tear that?" "Have you no needle and thread?" "Where is your brush?" etc., etc. These and similar questions and answers were heard repeatedly. Several times in reply to, "Have you no better coat or cap than this?" there was the answer, "No, sir." Then I heard no sharp order given, but saw instead a friendly pat on the shoulder, or sympathetic look as the officer passed to the next. Poverty was a pity, but dirt a disgrace. Temporary excuse for the one, but perpetual shame for the other.

This style of training, in connection with books and handicrafts, for one, two, three, or four years, is morally certain to fix habits of cleanliness and thrift. That this is the effect already, and is likely to be to a greater extent in the future, is seen in the influence of Tuskegee graduates on the poor and ignorant communities where many of them have gone to live. Each graduate is urged and led by material inducements in the way of prize loans to own his own residence wherever he may locate. The example of a neatly painted and plastered cottage, occupied by a self-respecting, industrious, well-dressed member of his own race, is of more value to the colored people in rural communities than the weekly visit and sermon of the colored pastor, however learned he may be in Hebrew and Greek exegesis.

The Tuskegee spirit hovers over not only the great school, but over the home and field of labor of every graduate, and I believe that in twenty years from now the mental, moral, and physical condition of the southern negro will be more indebted to the spirit set free at Tuskegee by Booker T. Washington than to all the material equipment at that center of industry and learning.—GEORGE EMORY FELLOWS.

**The Democratic Principle and Socialism.**—All social movements are efforts to realize social ideals. These social ideals tend more and more to converge in our age in the democratic ideal of government of the people by the people. This ideal, usually thought of in its political aspects exclusively, finds its economic manifestation in socialism. What political democracy represents in the socialization of political office for the control of the state, socialism represents in the socialization of the means of production and exchange for the control of labor.

Three important criticisms have been made upon political democracy, viz.: (1) that it reduces sovereignty and political power to a mere matter of number, bringing the intelligent and the stupid to the same degree of influence; (2) that it weakens official responsibility by distributing offices, causing private and temporary interests to displace public and permanent interests; (3) that democracy, being the sovereignty of mere numbers, becomes oppressive of minorities, and degenerates into Jacobinism.

An examination of the usual criticisms directed against socialism as the "socialization of the means of production and exchange" reveals the fact that such criticisms are fundamentally the same as those commonly brought against political democracy. In summary they are that the socialist organization for the elimination of inequality of conditions and suppression of the anarchy of capitalistic production takes the ownership and control of the means of production and exchange away from individuals and places it in the hands of the people and their elected representatives, and *therefore* reduces responsibility and establishes the tyranny of number.

But wherefore this "therefore"? As far as political democracy is concerned, the whole history of modern civilization seems to be an increasing assertion that the application of the principle of government of all by all is the only means of securing adequate responsibility in the management of public affairs. On the economic side "private" business is becoming more and more a public trust, the manager being to an increasing extent necessarily responsible to the whole body of the people. Why, then, should a deliberate effort to get this fact realized in law, so as to reduce irregularities and confusion in production and distribution, and prevent capital from maintaining a vicious "privateness" in its operations, be stigmatized as a reduction of responsibility and the establishment of the tyranny of numbers? It is only with the widest extension of the area of responsibility that we get any certain guarantee of the efficiency and justice of conduct.

Socialism cannot and should not hope to remove the element of individuality from industry and from life. And the critical and important point in socialism is the place which it accords to the realization of responsibility and freedom. The communist formula, "To each according to his need, from each according to his ability," offers no way of realizing itself, and reduces freedom and responsibility, *i. e.*, individuality, from the economic standpoint, to a minimum. The collectivist formula, "To each according to his labor" (*i. e.*, *time of labor*), still does not fully realize the socialist principle of equality. Collectivism is obliged to interpret its formula to read, "To each according to the results of his labor." In this statement the principle of individuality appears still more prominently. In all these contemporary movements the point of departure is equality; the growing ideal, individual freedom.

Believing that freedom comes only through intimate union and common, mutual, responsibility, socialism is learning to condemn the futile practices of violent revolution, and to advocate the gradual and considered establishment of industry upon the principles of a thoroughly democratic state.—JOSEPH SORRANTE, "Le principe démocratique et le socialisme," in *La Revue socialiste*, March, 1900.

**The Protection of Those Willing to Work.**—That many willing and able workmen suffer severely in the development of modern industry, from the sense of insecurity of employment and from unjust and arbitrary discharge no one acquainted with

the business world of today can doubt. In the consideration of this situation there are several noteworthy principles involved: (1) The progress of industry evidently rests in large measure, though not by any means entirely, upon the freedom of the undertaker of industry to arrange his workmen, to direct their efforts, to give orders and prohibitions to realize the aims of the particular form of production, to discharge the heedless, and replace the worthless with better hands. This freedom, naturally, must not be alienated nor abridged. In this sense, *i. e.*, so far as is necessary to the attainment of the peculiar aim of his kind of business, the employer must remain "lord in his own house." So far, however, as he gives commands or prohibitions which are not so necessitated, he acts not as employer but as tyrant, in a capacity which the law, based upon the equality of citizens, does not recognize. On economic grounds, of course, it is necessary to allow the employer summarily to discharge workmen who display both discipline and skill in their work, in case of changes necessitated in the methods of production, natural shrinkage in business, and alterations in the conditions of labor. The employer is not responsible for the great fluctuations of the market, in so far as his attitude toward his men is determined strictly by the concrete necessities of maintaining and developing his business in the interest of all concerned. (2) The more extended an employer's business, and the more he controls the labor market and the place of work and special preparation of the workmen, so much the greater is the damage which the workman suffers through arbitrary discharge. The smaller the business and field of labor controlled, the easier it is for the discharged workman to find employment with another manager. In the small business the relations of employer and employé are much more personal, in the large business much more mechanical. The larger the business, therefore, the more scrupulous and exact are the methods needed for insuring that serious injustice shall not be done. (3) The conditions which really justify discharge are naturally very diverse. The fundamental principle is that the employé must be economically ineffective in the place given him. The adequate control and insurance of able and willing employés in their work can come only when private business is more a matter of public concern and public law than it is at present. — FLESCHE, "Der Schutz der Arbeitswilligen," in *Jahrbücher für Nationalökonomie und Statistik*, January, 1900.

**German Labor Laws.**—The development of labor legislation in Germany, in which Prussia has chiefly taken the initiative, seems to have had two distinct aims: the first, to liberate industry from old restrictions, and to determine the sphere and functions of the old guilds so as to bring them into harmony with modern conditions; and the second, to meet the new demands of manufacturing upon a large scale, and redetermine the methods and conditions of labor contract, the arbitration of labor disputes, the right of workmen to form organizations, etc. The former relates solely to the handicraft trades, fixing the conditions that workmen must fulfill in order to be apprentices, journeymen, and masters, and defining the character and powers of their organizations, the guilds. The latter relates to employés working in factories and mills, and deals with some problems, such as that of the right of association, which are of a general nature.

The starting-point for the first movement or phase of this legislation is found in the edict of October 9, 1807, which abolished serfdom, and made free the right to possess land. This was followed in the next year by the circular of December 26, 1808, which proclaimed the right of citizens freely to engage in such occupations as they desired. Exclusive privileges to conduct certain trades and industrial monopolies were gradually abolished by subsequent orders. During the last thirty years there has been a determined, and to a considerable extent successful, agitation for the enactment of laws giving increased powers to the guilds. On July 18, 1881, a law was enacted giving voluntary guilds a very privileged position. It constituted them organizations of employés and journeymen carrying on a trade on their own account, with an authority of their own, and power to enact certain regulations, especially as regards apprenticeship, which should have all the force of law, even with respect to journeymen not affiliated with the guilds. They were empowered to create and maintain aid funds, trade arbitration tribunals, technical schools, and others institutions for the advancement of the interests of their trades. The restriction of the law of 1869, that each guild should embrace only members of the same trade, was removed,



enabling men to form guilds in small places. The guilds were also made civil bodies, empowered to hold land, to contract obligations, and sue and be sued in their corporate capacity; and the collection of properly imposed dues was made enforceable by law. Despite these concessions, the agitation continued through a series of acts until its consummation in the law of July 26, 1897, which, while not creating a general system of compulsory guilds, provided that, where a majority of the persons interested are in favor of it, a compulsory guild, to include all members of a trade in a certain district, can be created by the civil authorities. A compulsory guild, however, can be created only where there are a sufficient number of persons qualified to become members to insure that the guild will have sufficient strength to support the burden of its necessary expenditures. When a compulsory guild is created, all voluntary guilds of the same trades in the district must be dissolved, their property, except in special cases, going to the compulsory guild that replaces them. The boundaries of a guild district must be so fixed that no member will be so far removed from the headquarters that he cannot participate in the corporate life of the guild or benefit by its institutions.

Labor organizations in Germany have not been given the right of becoming legal persons through incorporation or otherwise. They cannot hold property, sue or be sued, or perform other similar acts in a corporate capacity.

The general principle of the German law regarding the labor contract is that the fixing of the relations between employers and employes, except in so far as it is restricted by the imperial law, is a matter for voluntary agreement. The imperial restrictions refer to the employment of women and children, Sunday and night work, notices of leave, damages for broken contracts, etc.

The first important step in factory legislation was taken by Prussia through the act of March 9, 1839, which prohibited the regular employment of children under nine years of age in mines, factories, stamping-mills, etc., limited the maximum working day for young persons under sixteen years of age to ten hours, and prohibited their employment nights, Sundays, and holidays. The law of June 1, 1891, raised the minimum age limit for children employed in industrial establishments to thirteen years. Children under fourteen cannot be employed more than six hours a day, with a half-hour rest at noon; and those under sixteen not more than ten hours, broken by three intervals of rest, one hour at noon and a half-hour in both forenoon and afternoon. All employes under eighteen years of age must be permitted to attend technical schools. Employers are required to post conspicuously and according to a prescribed form, in rooms where women and children are employed, an extract of the provisions regarding their employment, besides a list of the names of the children employed, their working days, hours of labor, and periods of rest.

The restriction of Sunday work is difficult. The following classes are excepted from restriction: (1) work which public convenience requires shall be promptly executed; (2) the making of inventories required by law; (3) the guarding, cleaning, repairing of plants, etc.; (4) work necessary to perform on Sunday in order to preserve materials and goods.

Since 1891 shop rules, not contrary to law, must constitute an integral part of the labor contract; must be dated, signed, and conspicuously posted, and distributed, one copy to each of the employes. Though employers must afford their employes an opportunity to be heard in regard to the framing of the factory rules, they are not bound to conform to their wishes in any respect.

Since 1891 also the states are obliged to appoint special industrial councilors and factory inspectors.

Employers are required since that date to reckon wages in the money of the empire and to pay them in cash, generally to the workmen themselves, not to a third party. Payment cannot be made in restaurants or saloons without the permission of the lower administrative authorities.

A general industrial arbitration law for factory employes proper was enacted July 29, 1890, leaving the creation of arbitration tribunals optional with the local communes or provincial authorities. This law, however, has not been very effective or satisfactory.—W. F. WILLOUGHBY, "Foreign Labor Laws," in *Bulletin of the Department of Labor*, No. 27, March, 1900.

**On the Possibility and Task of Social Psychology.**—A social group is a complex of a number of individuals who are in any way united, and we can say that of all spiritual processes, *e. g.*, authority, reputation, property, spiritual consumption of literature, taste, etc., the social group is the sufficient and also the necessary condition of their development.

Social psychology comprehends those spiritual events which *depend upon* the presence of a social group, *i. e.*, a number of individuals participating in an exchange process.

The presuppositions of social psychology are social ideas and social determinations, *Sozialwollungen*. These presuppositions appear and operate upon one another through the principle of imitation, which plays a rôle in social psychology similar to that which the principle of association plays in individual psychology. We can say, in general, that without imitation there could be no socio-psychical event and no generalization of a dawning spiritual conception. The process of imitation, which requires at least two individuals, operates in different ways.

One form is the crowding out and extermination, *e. g.*, in the case of fashions.

A second is that of partial assumption, new elements being exclusively adopted by certain classes.

A third is the subordination of one element to another without an entire assumption or rejection.

A fourth is that in which two ideas in conflict unite to form a third new product.—FRANZ EULENBURG, "Über die Möglichkeit und die Aufgaben einer Socialpsychologie," in *Jahrbuch für Gesetzgebung, Verwaltung und Volkswirtschaft*, erstes Heft, 1900.

**Socialism in the United States.**—1. The trade-unionists of the United States have thus far shown themselves, as a whole, indifferent or averse to socialism. They look to the existing order, or to conditions slowly evolved from it, for the advancing of their interests.

2. It is a fact of greater consequence that they have shown the intelligence necessary to discriminate sharply between two economic policies—the narrower policy of state railways, municipal gas-works, etc., and the wider policy of outright socialism—accepting the one and rejecting the other.

3. Most important of all, they have shown that equality which is the highest of civil virtues in a republic—superiority to mere "stampeding" by appeals to sentiment and blind impulse.

So long as this spirit of caution prevails, we need not anticipate with grave anxiety the action of the working people on any such question as that of socialism. A cautious advance toward socialism would permit a retreat without great damage if its experimental suggestions should prove unwise in practice. Only hasty changes are seriously threatening.—AMBROSE PARÉ WINSTON, "Socialism in America," in the *Contemporary Review*, January, 1900.

**Criminal Sociology.**—The completion of Ferri's *Criminal Sociology* is forced upon our attention. Enrico Ferri does not do things by halves. The first edition of his book, the modest *Nuovi Orizzonti del Diritto penale*, had 150 pages (1881); the second edition (1884), 560; the third (1892) had a hundred pages more; the fourth (1900) is a majestic volume of 1,000 pages.

Differences of opinion Ferri thinks it possible to reduce to three chief points. According to him, the classical school admits:

1. That the delinquent is animated by ideas and sentiments analogous to those of other men.

2. That the principal effect of punishment is to oppose the development of criminality.

3. That man is endowed with moral freedom, or free will. It is because of this free will that he becomes morally guilty and legally responsible for his acts of delinquency.

On the contrary, the positive school arrives at opposite conclusions on these three points:

1. Criminal anthropology informs us experimentally that the delinquent is not a normal man, but that, by reason of his organic and psychic anomalies, hereditary and acquired, he constitutes a special class, a variety of the human species.

2. Statistics prove that the beginning, development, and diminution of criminality depend upon other causes than the penalties established by law and applied by the magistrates.

3. Finally, the positive psychology has demonstrated that the idea of free will is only an illusion.

Placed at the end of his introduction, this summary ought to be considered as the synthesis of Ferri's book and the doctrines of Lombroso. The author seems to think there is a necessary point of division, and it has pleased him to formulate in his own way the body of classical and spiritualist convictions, and that of the positivists. Between these two the choice is rigorously limited. If you accept the new dogmas, all is for the best. But if you remain faithful to the old and pure classical traditions, you become an adversary.

I do not think that at the present hour one meets with many classical criminologists who are persuaded of the extreme preventive efficacy of punishment. It is already a long time since it has been agreed to recognize that punishment is neither the only nor the best method of combating crime, and that, notably in France, men of heart, who are at the same time distinguished theorists, have multiplied preventive institutions, without suspecting that they were realizing what the positive school was to call later the prophylactics of crime. To invent a word is not to invent the thing. Classical criminologists think so little of the correctional efficacy of punishment that the most authoritative among them have been known to become the champions of the indeterminate sentence. The only certain result of punishment, with regard to the delinquent, is to place him, during his confinement, beyond the possibility of committing crime; but it is very rarely that it prevents his becoming a criminal again; no one of us conceals the fact that punishment is above all useful for honest people, whose moral sense it strengthens; and for possible criminals, people of weak conscience, upon whom it exercises a beneficent check, of which Ferri himself recognizes all the importance.

The spiritualist school would deny the evidence if it refused to believe in the *predispositions*, the sway of which certain refractory natures, in greater or less degree, subordinate to moral influences. It does not prove faithless to these principles in attributing these predispositions to atavism or to degeneracy. . . . That there are in these predispositions, as in insanity, idiocy, and moral imbecility, causes the trace of which is to be found in the physiological and anatomical constitution of the subject, I firmly believe, even because of my spiritualistic convictions, and I wish that the complete and fixed nomenclature of these signs might some day be made out.

"It is necessary to add, besides, that if the classical school has appeared so conciliatory, the Italian positivists have, on their side, greatly weakened the absoluteness of their first conclusions, first by recognizing that the criminal type does not result alone from anatomical, but also, and especially, from physiological and functional anomalies; next, in according to the social factors of crime more and more importance; finally, in admitting that the influence of the medium, or, as Ferri says, the earthly and social environment, may neutralize the evil impulses of organic predispositions."—PAUL CUCHE, in *Revue pénitentiaire*, May, 1900.

W. C. McN.